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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

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Eberhard **FRITZ** and Gerd **PHILLIPPS**

JUN 13 2005

Appln. No.: 10/018,619

OFFICE OF PETITIONS

Filed: December 17, 2001

For: RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT

Attorney Docket No.: 3993.003

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Customer ID: 000041288

20 JUN 2005

PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW A
HOLDING OF ABANDONMENT AND, ALTERNATIVELY, PETITION
UNDER 37 C.F.R. §1.137(b) TO REVIVE ABANDONED APPLICATION

Legal Staff
International Division

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of Applicants, petitions the Commissioner to withdraw a holding of abandonment of the above-identified application. The application is indicated as abandoned for failure to respond to the Notification of Missing Requirements mailed February 15, 2002.

Applicant states that the failure to respond was **UNINTENTIONAL** because the Office Action of February 15, 2002, was not received in our office. Applicant's legal representative has checked the docketing system and confirms that the Office Action was not received in our office.

Applicant's legal representative was aware of the abandon of the present application via a Notification of Abandonment mailed on by the USPTO on January 17, 2003. (Attachment A)

06/09/2005 SSESHE1 00000072 10018619

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1500.00 OP

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U.S. Application No.: 10/018,619
PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW A
HOLDING OF ABANDONMENT AND, ALTERNATIVELY, PETITION
UNDER 37 C.F.R. §1.137(b) TO REVIVE ABANDONED APPLICATION

Attorney Docket: 3993.003

Please note that both the Office Action and the Notice of Abandonment were delivered to our previous address. The undersigned note that the United State Postal Office forwarded back the correspondence to the USPTO on April 29, 2003. The USPTO did not re-mail the Office Action to the new address.

In view of the above, no response was timely filed and the application became abandoned.

Applicants respectfully request that that Office Action of February 11, 2002 be re-mailed in the subject application, and that the holding of abandonment be withdrawn.

In order to avoid further confusions, an Attorney Change of address is being re-filed herewith. Entry of the change of address is respectfully requested.

Please direct all correspondence and telephone calls pertaining to this application to:

Evelyn A. Defilló
PENDORF & CUTLIFF
5111 Memorial Hwy.
Tampa, Florida 33634-7356
(813) 886-6085

It is imperative that if any correspondence is being e-mailed, the e-mails be directed to the following e-mail address:

defillo@patentcentral.com

Alternatively, and only contingent upon denial of the above stated Petition for Withdrawal of Holding of Abandonment,

U.S. Application No.: 10/018,619
PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW A
HOLDING OF ABANDONMENT AND, ALTERNATIVELY, PETITION
UNDER 37 C.F.R. §1.137(b) TO REVIVE ABANDONED APPLICATION

Attorney Docket: 3993.003

Applicants hereby petition for revival of the above referenced application under 37 C.F.R. '1.137(b).

Abandonment of the subject application was unintentional and caused by the reasons set forth above. Applicant respectfully request consideration of this Petition to Revive as a complete Petition under the language of section (b) of 37 C.F.R. '1.137, since, as noted above, Applicant believed that all requirements with 35 U.S.C. 371 for the application are fully satisfied. For these reasons, Applicant has not submitted a response herewith.

A credit card form in the amount of \$1,500.00 is attached. Please charge any additional fees or credit any overpayment to Deposit Account No. 16-0877.

Respectfully submitted,


Evelyn A. Defillo
Evelyn A. Defillo
Registration No. 45,630

Pendorf & Cutliff
5111 Memorial Highway
Tampa, FL 33634-7356
(813) 886-6085

Date: **June 7, 2005**

U.S. Application No.: 10/018,619
PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW A
HOLDING OF ABANDONMENT AND, ALTERNATIVELY, PETITION
UNDER 37 C.F.R. §1.137(b) TO REVIVE ABANDONED APPLICATION

Attorney Docket: 3993.003

CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW A HOLDING OF ABANDONMENT AND, ALTERNATIVELY, PETITION UNDER 37 C.F.R. §1.137(b) TO REVIVE ABANDONED APPLICATION, for U.S. Application No. 10/018,619 filed December 17, 2001, were deposited in first class U.S. mail, postage prepaid, P.O. Box 1450, Alexandria, VA 22313-1450, on June 7, 2005.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.


Evelyn A. Defilló



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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,619	Eberhard Fritz	3993.003

Stephan A Pendorf
Pendorf & Cutiff
P O Box 20445
Tampa, FL 33622-0445

old address

APR 8 2003
U.S. PATENT & TRADEMARK OFFICE 20231

INTERNATIONAL APPLICATION NO.	
PCT/EP00/05631	
IA. FILING DATE	PRIORITY DATE
06/19/2000	06/18/1999

CONFIRMATION NO. 4988
371
ABANDONMENT/TERMINATION
LETTER

"OC000000009394560"

Date Mailed: 01/17/2003

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 02/15/2002 within the time period set therein.

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Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 37.1 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

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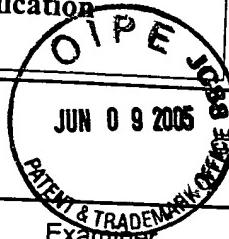
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Change Of Attorney Or Agent's Address In Application
(37 CFR 1.8(a))

Docket No.

3993.003

In Re Application Of: Eberhard Fritz and Gerd Phillipps



Serial No.
10/018,619

Filing Date
12/17/01

Examiner

Group Art Unit

Invention: RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Please send all correspondence for this application to:

Stephan A. Pendorf
Pendorf & Cutliff
5111 Memorial Highway
Tampa, FL 33634-7356

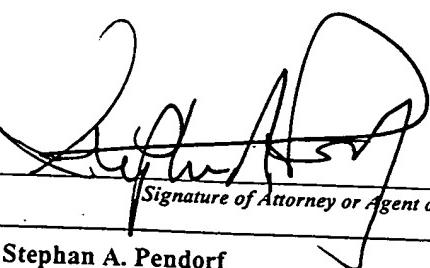
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JUN 13 2005

OFFICE OF PETITIONS

Please direct all telephone calls to:

(813) 886-6085 - Telephone
(813) 886-6720 - Facsimile
pendorf@patentcentral.com - e-mail



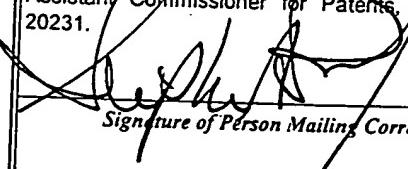
Signature of Attorney or Agent of Record

Stephan A. Pendorf
Registration No. 32,665
Pendorf & Cutliff
5111 Memorial Highway
Tampa, FL 33634-7356

Registration Number & Address of Attorney or Agent of Record

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Dated: May 8, 2003

I certify that this document is being deposited on
May 8, 2003 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

Stephan A. Pendorf

Typed or Printed Name of Person Mailing Correspondence